

**U.S. District Court [LIVE]
Western District of Texas (Midland)
CRIMINAL DOCKET FOR CASE #: 7:21-mj-00015-RCG All Defendants**

Case title: USA v. Cudd et al

Date Filed: 01/13/2021

Assigned to: Judge Ronald C. Griffin

Defendant (1)

Jenny Louise Cudd

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

18:1752. – RESTRICTED BUILDNG OR
GROUNDS

Assigned to: Judge Ronald C. Griffin

Defendant (2)

Eliel Rosa

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints**Disposition**18:1752. – RESTRICTED BUILDNG OR
GROUNDS**Plaintiff**

USA

Date Filed	#	Page	Docket Text
01/13/2021	<u>1</u>	3	Arrest (Rule 5/Rule 32.1) of Jenny Louise Cudd, Eliel Rosa (ms2) (Entered: 01/20/2021)
01/13/2021	<u>2</u>		Sealed Document filed (ms2) (Entered: 01/20/2021)
01/13/2021	<u>3</u>		Minute Entry for proceedings held before Judge Ronald C. Griffin:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to Jenny Louise Cudd, Eliel Rosa held on 1/13/2021 (Minute entry documents are not available electronically.) (Court Reporter Digital.) (ms2) (Entered: 01/20/2021)
01/13/2021	<u>4</u>	4	WAIVER – Rule 5/Rule 32.1 as to Jenny Louise Cudd. (ms2) (Entered: 01/20/2021)
01/13/2021	<u>5</u>	5	ORDER Setting Conditions of Release as to Jenny Louise Cudd (1) PR Bond.. Signed by Judge Ronald C. Griffin. (ms2) (Entered: 01/20/2021)
01/13/2021	<u>6</u>	8	PR Bond Bond Filed as to Jenny Louise Cudd (ms2) (Entered: 01/20/2021)
01/13/2021	<u>7</u>	10	WAIVER – Rule 5/Rule 32.1 as to Eliel Rosa. (ms2) (Entered: 01/20/2021)
01/13/2021	<u>8</u>	11	ORDER Setting Conditions of Release as to Eliel Rosa (2) PR Bond. Motions terminated:.. Signed by Judge Ronald C. Griffin. (ms2) (Entered: 01/20/2021)
01/13/2021	<u>9</u>	14	PR Bond Bond Filed as to Eliel Rosa (ms2) (Entered: 01/20/2021)

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

JENNY LOUISE CUDD

and

ELIEL ROSA

Defendant(s)

Case: 1:21-MJ-00035

Assigned to: Judge Zia M. Faruqui

Assigned Date: 1/12/2021

Description: COMPLAINT W/ARREST WARRANT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/06/2021 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:*Code Section*

18 U.S.C. § 1752(a)(1) and (2)

40 U.S.C. § 5104(e)(2)

Offense Description

Restricted Building or Grounds

Violent Entry or Disorderly Conduct

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.
Complainant's signature

Jeffery F. Johannes, Special Agent- FBI

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone.Date: 01/12/2021*Judge's signature*City and state: Washington, D.C.

Zia M. Faruqui, United States Magistrate Judge

Printed name and title

FILED

JAN 13 2021

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY UK
DEPUTY CLERK

United States of America

vs.

(1) Jenny Louise Cudd

§ WAIVER OF RULE 5 HEARINGS
§ (Excluding Probation Cases)

§ Case Number: MO:21-M -00015(1)

§ Ref: 1:21-MJ-035

I (1) Jenny Louise Cudd, understand that in the DISTRICT OF COLUMBIA charges are pending alleging violation of - 18 USC 1752 RESTRICTED BUILDING OR GROUNDS; 40 USC 5104 VIOLENT ENTRY OR DISORDERLY CONDUCT and that I have been arrested in this district and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim.P., (note: Rule 20 is NOT applicable to Revocation of (a)Terms of Supervised Release, (b)Probation, (c)Parole, or (d)Bond proceedings) in order to to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

☒ Identity Hearing

☐ Preliminary Examination

☐ Identity Hearing and I have been informed I have no right to a Preliminary Examination

☐ Identity Hearing but request a Preliminary Examination be held in the prosecuting district

and therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

1-13-2021

Date

Jenny Louise Cudd
Defendant

Defense Counsel

FILED

AO 199A (Rev. 5-99) Order Setting Conditions of Release

UNITED STATES DISTRICT COURT**JAN 13 2021****WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION****CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

BY

DEPUTY CLERK

**ORDER SETTING CONDITIONS
OF RELEASE**United States of America
Plaintiff

vs.

Case Number: MO:21-M -00015(1)

(1) Jenny Louise Cudd
Defendant§
§
§
§
§
§

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear (if blank, to be notified)

U.S. Courthouse, Midland Magistrate Courtroom, on the First Floor of the United States
Courthouse, 200 E. Wall, Midland, TX*Place*

on

*Date and Time***Release on Personal Recognizance or Unsecured Bond**

IT IS FURTHER ORDERED that the defendant be released provided that:

- (X) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (X) (5) The defendant executes a personal recognizance bond

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and state) _____

(Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: _____

Custodian or Proxy

Date

(X) (7) The defendant shall:

(X) (a) report to the **United States Pretrial Services Office**

telephone number **(432) 570-0014**, as directed by **Pretrial Services Officer**

() (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: _____

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described _____

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

() (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

() (g) surrender any passport to: _____

() (h) obtain no passport.

() (i) abide by the following restrictions on personal association, place of abode, or travel: _____

() (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____

() (l) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

() (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

() (o) refrain from ☐ any ☐ excessive use of alcohol.

() (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (q) submit to any method of testing required by the pretrial services office or supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

() (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which ☐ will or ☐ will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

() (i) **Curfew.** You are restricted to your residence every day ☐ from _____ to _____, or ☐ as directed by the pretrial services office or supervising officer; or

() (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

() (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

() (u) Within 24 hours, report to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

() (v) report and maintain information regarding medical conditions, medications and related therapies to USPS.

() (w) _____

() (x) _____

Advice of Penalties and Sanctions

TO THE DEFENDANT

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

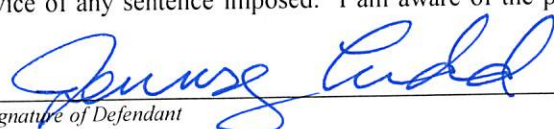
If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.


 Signature of Defendant
Directions to United States Marshal

- (X) The defendant is ORDERED released after processing.
- () The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

 1-13-2021
 Date


 RONALD C. GRIFFIN

UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

FILED

JAN 13 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY LR DEPUTY CLERK

United States of America

vs.

(1) Jenny Louise Cudd
Defendant

§
§
§
§
§

Case Number: MO:21-M -00015(1)

APPEARANCE BOND**Defendant's Agreement**

I **(1) Jenny Louise Cudd** (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ☒ to appear for court proceedings;
☒ if convicted, to surrender to serve a sentence that the court may impose; or;
☒ to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- ☒ (1) This is a personal recognizance bond.
- ☐ (2) This is an unsecured bond of \$ _____.
- ☐ (3) This is a secured bond of \$ _____, secured by:
- ☐ (a) \$ _____, in case deposited with the court.
- ☐ (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it - such as a lien, mortgage, or loan - and attach proof of ownership and value):
- _____
- _____

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- ☐ (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):
- _____
- _____
- _____

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 01/13/2021


Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

CLERK OF COURT

Date: 01/13/2021


Signature of Clerk or Deputy Clerk

Approved.

Date: 01/13/2021


Judge's signature

FILED

JAN 13 2021

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY MR
DEPUTY CLERK

United States of America

§ WAIVER OF RULE 5 HEARINGS
§ (Excluding Probation Cases)

vs.

§
§ Case Number: MO:21-M -00015(2)

(2) Eliel Rosa

§
§ Ref: 1:21-MJ-035

I (2) Eliel Rosa, understand that in the DISTRICT OF COLUMBIA charges are pending alleging violation of - 18 USC 1752 RESTRICTED BUILDING OR GROUNDS; 40 USC 5104 VIOLENT ENTRY OR DISORDERLY CONDUCT and that I have been arrested in this district and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim.P., (note: Rule 20 is NOT applicable to Revocation of (a)Terms of Supervised Release, (b)Probation, (c)Parole, or (d)Bond proceedings) in order to to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

☒ Identity Hearing


☐ Preliminary Examination

☐ Identity Hearing and I have been informed I have no right to a Preliminary Examination

☐ Identity Hearing but request a Preliminary Examination be held in the prosecuting district

and therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Date



Defendant

Defense Counsel

FILED

AO 199A (Rev. 5-99) Order Setting Conditions of Release

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

JAN 13 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY MR DEPUTY CLERK

United States of America
Plaintiff

**ORDER SETTING CONDITIONS
OF RELEASE**

vs. Case Number: MO:21-M -00015(2)

(2) Eliel Rosa
Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear (if blank, to be notified)

U.S. Courthouse, Midland Magistrate Courtroom, on the First Floor of the United States
Courthouse, 200 E. Wall, Midland, TX

Place

on

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (X) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (X) (5) The defendant executes a personal recognizance bond

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

(Name of person or organization)

(Address)

(City and state)

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed:

(custodian or proxy)

Date

(X) (7) The defendant shall:

- (X) (a) report to the United States Pretrial Services Office as directed by Pretrial Services Officer (432) 570-0014, telephone number _____, as directed by Pretrial Services Officer _____, to appear as required the following sum of money or designated property: _____
- () (b) execute a bond or an agreement to forfeit upon failing to appear as required the following amount or percentage of the above-described _____
- () (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described property: _____
- () (d) execute a bail bond with solvent sureties in the amount of \$ _____
- () (e) maintain or actively seek employment.
- () (f) maintain or commence an education program.
- () (g) surrender any passport to: _____
- () (h) obtain no passport.
- () (i) abide by the following restrictions on personal association, place of abode, or travel: _____
- () (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____
- () (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____
- () (l) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

- () (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.
- () (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.
- () (o) refrain from _____ any _____ excessive use of alcohol.
- () (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- () (q) submit to any method of testing required by the pretrial services office or supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.
- () (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.
- () (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibit substance testing or electronic monitoring which is (are) required as a condition(s) of release.
- () (t) participate in one of the following home confinement program components and abide by all the requirements of the program which _____ will or _____ will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
- () (i) Curfew. You are restricted to your residence every day _____ from _____ to _____, or _____ as directed by the pretrial services office or supervising officer.
- () (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or
- () (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.
- () (u) Within 24 hours, report to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- () (v) report and maintain information regarding medical conditions, medications and related therapies to USPS.
- () (w) _____
- () (x) _____

Advice of Penalties and Sanctions

TO THE DEFENDANT

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



 Signature of Defendant

Directions to United States Marshal

- (X) The defendant is ORDERED released after processing.
- () The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

1-13-2021

 Date


 RONALD C. GRIFFIN
 UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

FILED

JAN 13 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY MR DEPUTY CLERK

United States of America

vs.

(2) Eliel Rosa
Defendant

§
§
§
§
§

Case Number: MO:21-M -00015(2)

APPEARANCE BOND**Defendant's Agreement**

I **(2) Eliel Rosa** (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ☒ to appear for court proceedings;
☒ if convicted, to surrender to serve a sentence that the court may impose; or;
☒ to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- ☒ (1) This is a personal recognizance bond.
- ☐ (2) This is an unsecured bond of \$ _____.
- ☐ (3) This is a secured bond of \$ _____, secured by:
- ☐ (a) \$ _____, in case deposited with the court.
- ☐ (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it - such as a lien, mortgage, or loan - and attach proof of ownership and value):
- _____
- _____

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- ☐ (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):
- _____
- _____
- _____

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

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Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 01/13/2021

Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

CLERK OF COURT

Date: 01/13/2021

Signature of Clerk or Deputy Clerk

Approved.

Date: 01/13/2021

Judge's signature